

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

DERRICK LEE JOHNSON
ADC #110079

PETITIONER

V.

NO. 5:07cv00285 JMM-JWC

LARRY NORRIS, Director,
Arkansas Department of Correction

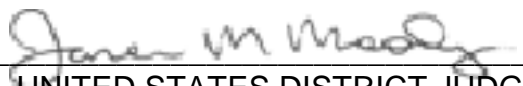
RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommendations received from Magistrate Judge Jerry Cavaneau and the objections filed in response, and has further reviewed the relevant record de novo. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, the Court (1) **rejects** Respondent's argument for dismissal of this 28 U.S.C. § 2254 petition on the basis of the statute of limitations; (2) **dismisses** Ground 1 as failing to state a cognizable federal habeas claim; and (3) **directs** Respondent to respond further to Grounds 2, 3 and 4, including addressing the merits of the claims and submitting any documentation supporting or explaining the ADC's computation of Petitioner's transfer eligibility date.

IT IS SO ORDERED this 4th day of November, 2008.


UNITED STATES DISTRICT JUDGE